

<b>DIVISION OF MINED LAND RECLAMATION</b>		<b>PROCEDURE NO.</b>	2.3.03
<b>PROCEDURES MANUAL</b>		<b>ISSUE DATE</b>	October 11, 2005
<b>SUBJECT</b>	Anniversary <a href="#">Materials</a>	<b>Section</b>	Enforcement/Permitting
		<b>Last Revised</b>	<a href="#">3-12-97</a>

### **OBJECTIVE AND INTENT:**

To ensure anniversary fees (**Va. Code 45.1-235E**), reports, and maps are properly submitted by the permittee.

### **PROCEDURES:**

The permittee will be required to submit a completed anniversary report (**DMLR-PT-028**) to the DMLR. If seeding has been conducted in the past 12 months, the permittee will be required to complete and submit a seeding report (**DMLR-PT-011**) and anniversary map.

#### **Anniversary Maps**

An anniversary map will be required when there have been changes to the permitted area since the last anniversary report, renewal, or approved permit application (such as acreage amendments, deletions, or relinquishments; additional regraded/revegetated areas; any changes in primary roads<sup>1</sup>; etc.).

The map should be colored<sup>2</sup> to reflect actual field conditions at the time the report is prepared. The acreage listed on the anniversary map's legend (**DMLR-PT-017**) "Since Permit Issuance" section must correspond with the acreage listed on the anniversary report form (**DMLR-PT-028**).

#### **Certifications**

The following must be submitted with the anniversary reports –

- Annual impoundment/pond certifications.
- Haulroad certifications, if any changes/upgrades of the road(s) occurred since the last anniversary, mid-term, or renewal permitting action. The Inspector will determine whether there have been any changes to the permit road(s), which may result in a road being classified as a "primary road" (See Guidance Memorandum #10-05). If an update is required, the Inspector will instruct the permittee to submit a revision application identifying the changes, including appropriate as-built certification(s), map(s), and plan(s) for the road(s). Once submitted to the DMLR office, the revision application will be routed to an Environmental Engineer for review (per DMLR Procedure 2.2.01).

### **Submittal to DMLR**

The anniversary and seeding reports, map, and certifications (for sediment ponds, and if applicable, "primary" haulroads) should be submitted by paper copy with the original permittee's or authorized representative's signature. It is preferred that the permittee also submit an electronic version of the anniversary materials on computer disc.

The anniversary materials shall be reviewed and initialed by the field Inspector prior to submittal to the DMLR office. The Inspector will verify that the information is correct, especially concerning changes in the permit and/or roads since the last anniversary, renewal, or other permitting action.

<sup>1</sup> See DMME/DMLR Guidance Memorandum No. 10-05, Requirements for Haulroad Construction and Design (March 4, 2005)

<sup>2</sup> Per the color coding listed on the map legend form – DMLR-PT-017

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Once received by the DMLR office, the anniversary materials will be routed to the Engineering Technician, who will –

- Review the anniversary map and acreage calculations, and compare such with the last approved map on file in the DMLR mapping database system.
- If errors are found in the permitted acreage, send a written comment to the Permit Review Specialist identifying what needs to be corrected with the permitted acreage and whether a revision application may be required to correct the discrepancy(ies).
- If other errors or deficiencies are found (e.g. disturbed, regraded, vegetated, or undisturbed acreage), send written comments to the Permit Review Specialist identifying the concerns.
- Upon final approval, file the electronic information in the designated network file folder for anniversary reports.

The Permit Review Specialist will –

- Check for pending applications that may affect acreages on the permit being reviewed.
- Compile any review comments and prepare a letter to the permittee and/or consultant identifying any errors or deficiencies. The letter will also request the appropriate anniversary fees (once technical review is completed and approved, at \$13 per disturbed acre or portion thereof) and establish an appropriate deadline for the permittee's resubmittal of the anniversary materials (14 days for acreage corrections and fee submittal and 30 days for submittal of a revision application to correct permitted acreage). The letter shall be sent by certified mail, return receipt requested.
- Place the submittal deadlines on the Resubmittal List.

The Administrative Program Specialist will, upon final approval, enter the appropriate data into the DMLR permitting system database and file the material.